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OFFICE OF THE

BOARD OF COMMISSIONERS OF COOK COUNTY, ILLINOIS

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MATTHEW B. DELEON
SECRETARY TO THE BOARD

MARCH 23, 2007

TODD H. STROGER
PRESIDENT

REVISED NOTICE

There will be a meeting The recessed meeting of the Finance Labor Subcommittee of the Board of Commissioners of Cook County will reconvene on **Wednesday, March 28, 2007** at the hour of **12:00 P.M.** in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois to consider the following:

285079 AN AMENDMENT TO THE COOK COUNTY CODE, SECTION 34-123 LIVING WAGE (PROPOSED ORDINANCE AMENDMENT). Submitting Proposed Ordinance Amendment sponsored by Roberto Maldonado, County Commissioner.

PROPOSED ORDINANCE AMENDMENT

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 34, Section 34-123 is hereby amended as follows:

Sec. 34-123. Living wage.

(a) Unless expressly waived by the County Board, not less than Aa living wage for services performed or produced shall be paid to lowest wage individuals employed by a each employee of any person or business entity awarded a contract or subcontract with the County or by a for-profit person-or-business-entity-of organization which has an owner-occupied property whe that receives or renews a Class 6b or Class 9 property tax incentive, except in applications or renewals of Class 9 property incentives for supportive living facilities as certified by the State Department of Public Aid, pursuant to Chapter 74, Article II, Division 2 of this Code, the County Real Property Assessment Classification Ordinance.

(b) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Contract means any written agreement requiring Board approval whereby the County is committed to expend or does expend funds in connection with any contract or subcontract which requires in the performance thereof the employment of any number of full time non-county employees, including, but not limited to, the following classifications: cashier, clerical, custodial, day laborer, elevator operator, home and health care, laundry, leased employee, parking attendant, and security guard. The term "contract" shall not include contracts with not-for-profit organizations, community development block grants, President's Office of Employment Training, Sheriff's Work Alternative Program, or Department of Corrections inmates.

Contracting agency means the County of Cook.

Eligible contractors means any person or business entity awarded a contract or subcontract by the County which requires in the performance thereof the employment of any number of full time non-county employees, including, but not limited to, the following classifications: cashier, clerical, custodial, day laborer, elevator operator, home and health care, laundry, leased employee, parking attendant, and security guard.

Employee means any individual permitted to work by an employer in an occupation but does not include any employer's parent, spouse or child or other members of his immediate family. This definition of employee may be further defined by the Bureau of Human Resources.

Living wage means a minimum wage of no less than \$9.43 per hour if employee health benefits are provided, or \$11.78 per hour without health benefits. The employee health benefit contribution shall not exceed 25 percent of the health insurance premium. As of January 1, 2006, and each January 1 thereafter, the living wage shall be adjusted, using the most recent federal poverty guidelines for a family of four as published annually by the United States Department of Health and Human Services, to constitute the following: there will be an annual adjustment calculated as 100 percent of the federal poverty line for a family of four (as defined by the U.S. Department of Health and Human Services) with health benefits and 125 percent of the federal poverty line for a family of four without health benefits.

Net-f For profit organization means any person, corporation, or business entity except those having tax exempt status under Section 501(C)(3) of the United States Internal Revenue Code and recognized under State not-for-profit law, or their respective successors.

Property tax incentive means a reduction in the assessment level as set forth in Chapter 74, Article II, Division 2 of this Code for Class 6b industrial property or Class 9 multifamily residential property.

Supportive living facilities mean programs which establish an alternative to nursing home care for low income older persons and persons with disabilities under Medicaid and certified by the State Department of Public Aid.

Wage means compensation due to an employee by reason of his employment, including allowances determined by the Bureau of Human Resources for gratuities, and when furnished by the employer, for meals and lodging actually used by the employee.

(c) Every contract shall contain a provision or provisions stipulating that they are currently paying the living wage required to be paid to the employees listed under listed under the definition of living wage set forth in this section and each such contract shall further contain provisions obligating the eligible contractor or subcontractor of such eligible contractor, to pay its employees for work at not less than the living wage.

(d) Every for-profit person-or-business-entity-of organization which has an owner-occupied property who that receives or renews a Class 6b or Class 9 property tax incentive, except as exempted herein for state-certified supportive living facilities, shall provide an affidavit to the applicable County agency stipulating that such person or business entity is currently paying the living wage required to be paid to the employees listed under the definition of living wage set forth in this section.

(e) The Purchasing Agent shall require as part of the bidding and sole source procedure that any covered contractor provide the County certification of its compliance with this section.

(f) Any contract that violates the provisions contained in this section shall be subject to cancellation by the County Board. Any Class 6b or Class 9 property tax incentive that violated the provisions contained in this Section shall be subject to cancellation by the County Board.

(g) Any contractor disqualified from eligibility by the County Board shall be ineligible for two years following violation of this section. With respect to any Class 6b or Class 9 property tax incentive, any for profit organization found to have violated the provisions of this Section by the County Board shall be ineligible for any Class 6b or Class 9 property incentive for a period of two years from the date of the County Board's determination.

(h) Annually, the County Assessor's Office shall review and analyze the property tax incentives program to determine whether the living wage program has resulted in less application for and utilization of the incentive classification. A report of this review shall be provided by the County Board.

(i) This section shall apply to contracts advertised for bid or if not advertised for bid, approved for sole source or to for-profit persons or business entities of owner-occupied properties who receive a Class 6b or Class 9 property tax incentive on or after January 1, 2005.

(j) This section shall not apply to any applications or renewal of a Class 9 tax incentive, as provided under Chapter 74, Article II, Division 2 of this Code, for supportive living facilities certified by the State Department of Public Aid.

(k) This section shall not apply to any contract with the County entered into prior to the effective date of the ordinance from which this Section is derived.

(Ord. No. 98-O-21, §§ 1, 2, 9-15-1998; Ord. No. 05-O-02, §§ 1, 2, 12-1-2004; Ord. No. 05-O-42, §§ 1, 2, 9-20-2005.)

*Referred to the Finance Labor Subcommittee on February 21, 2007.

*Deferred by the Finance-Labor Subcommittee on March 13, 2007.

*No action was taken on this item at the Finance Labor Subcommittee on March 13, 2007.

Matthew B. DeLeon 45
Matthew B. DeLeon, Secretary

Chairman: Murphy
Vice-Chairman: Moreno
Members: Beavers, Butler, Gorman, Maldonado, Sims